

Eastern Cambridge Rezoning Petition

Part II

PUD at Kendall Square
(the Volpe Center Area)

PART II – PUD AT KENDALL SQUARE

Purpose

Zoning recommendations for the PUD at Kendall Square, or as it is more commonly known, the Volpe Center area, reflect the desire for housing and open space to help enliven Kendall Square during all hours of the day. Proposed zoning changes would result in a mix of uses on the site. The zoning would apply to both the privately held property and the federally-owned land currently used by the Department of Transportation should it be redeveloped for non-governmental use in the future.

Proposal

Proposed base zoning changes are intended to create a transition in land uses from Broadway to the residential neighborhoods north of Binney Street by requiring residential development to the north and mixed-use development to the south along Broadway, with a commercial district that encourages retail along Third Street. Changes proposed to the base zones are listed in the table below.

Existing District	Existing FAR	Proposed District	Proposed FAR	
			Commercial FAR	Residential FAR
Office 3A along Third Street	3.0	Business A	1.0	1.75
Office 3A north of Potter Street	3.0	Residence C-2B	1.75	1.75
Office 3A south of Potter Street	3.0	Office 2	1.5	2.0

Proposed PUD zoning for the Volpe Center area:

- *Permits an FAR of 3.0*
- *Caps commercial development to restrict traffic growth and encourage the creation of a strong residential presence in the area. Total new commercial development would be limited to 60 percent of total development on the site (approximately 750,000 square feet).*
- *Requires lower heights closer to the neighborhoods (65 feet) transitioning to taller heights closer to commercial development on Broadway (180 feet). In the area along Broadway, buildings may go up to 250 feet, with a reduced floorplate (less than 10 percent of the parcel.)*
- *Adjacent to a public park, requires that parts of a building taller than 45 feet be set back an additional 20 feet from the façade.*
- *Requires a major new public open space along a portion of Binney Street. Overall, the amount of open space on the entire block at full development would be approximately 35 percent.*

- *Encourages retail on Third Street and Broadway to create active street life in Kendall Square. Up to 50,000 square feet of ground floor retail along Third Street, Broadway, and the public park would be exempt from the cap on commercial square footage.*
- *Limits new retail development to 75,000 square feet to avoid competing with existing retail centers. Restricts the size of retail floor areas to 10,000 square feet to avoid “big box” retail.*
- *Requires general conformance with the Eastern Cambridge Plan and Eastern Cambridge Design Guidelines as determined by the Planning Board in its review of the proposed PUD.*

A. Amend the Zoning Map of the City of Cambridge

Delete the existing zoning designation Office 3A (0-3A) on the Zoning Map and substitute therefor the following three districts:

(1) The designation **BA/PUD-KS** (Business A/PUD at Kendall Square) for that area bounded by the centerline of Broadway, the centerline of Third Street, the centerline of Binney Street and a line parallel to and 100 feet distant from the northwesterly sideline of Third Street.

(2) The designation **C-2B/PUD-KS** (Residence C-2B/PUD at Kendall Square) for that area bounded by the area described in Paragraph (1) above, the centerline of Potter Street and its northwesterly extension, the centerline of the former Sixth Street (the MXD district boundary line), and the centerline of Binney Street.

(3) The designation **O-2** (Office 2) for that area bounded by the areas described in Paragraphs (1) and (2) above, the centerline of the former Sixth Street (the MXD district boundary line), and the centerline of Broadway.

B. Amend Article 13.000 of the Zoning Ordinance by creating a new Section 13.10 - PUD at Kendall Square to read as follows.

13.10 PUD AT KENDALL SQUARE: DEVELOPMENT CONTROLS

13.11 *Purpose.* The PUD-KS district is intended to provide for the creation of a mixed-use district of high quality general and technical office and retail activity, with a significant component of residential use. The creation of a large public park is desired. The PUD-KS district permits larger scale development and supporting commercial activities close to Kendall Square and the major public transit services located there. It encourages strong linkages between new development at Kendall Square, the East Cambridge riverfront, and the PUD-KS area and the neighborhoods of eastern Cambridge, facilitated in part by a strong retail presence along Third Street. Development in the PUD-KS district should be generally consistent with the policies set forth in the *Eastern Cambridge Plan* and the *Eastern Cambridge Design Guidelines* dated June 2001.

13.12 *Uses Allowed in a PUD-KS District.* The uses listed in this Section 13.12, alone or in combination with each other, shall be allowed upon permission of the Planning Board. The amount and extent of uses may be further regulated and limited as set forth elsewhere in this Section 13.10.

13.12.1 *Residential Uses*

- (1) Townhouse Development. Any special permits for parking arrangements for townhouse development required by Section 11.10 shall be granted by the Planning Board in a Planned Unit Development in a PUD-KS district.
- (2) Multifamily dwellings.

13.12.11 *Transient Residential Uses*

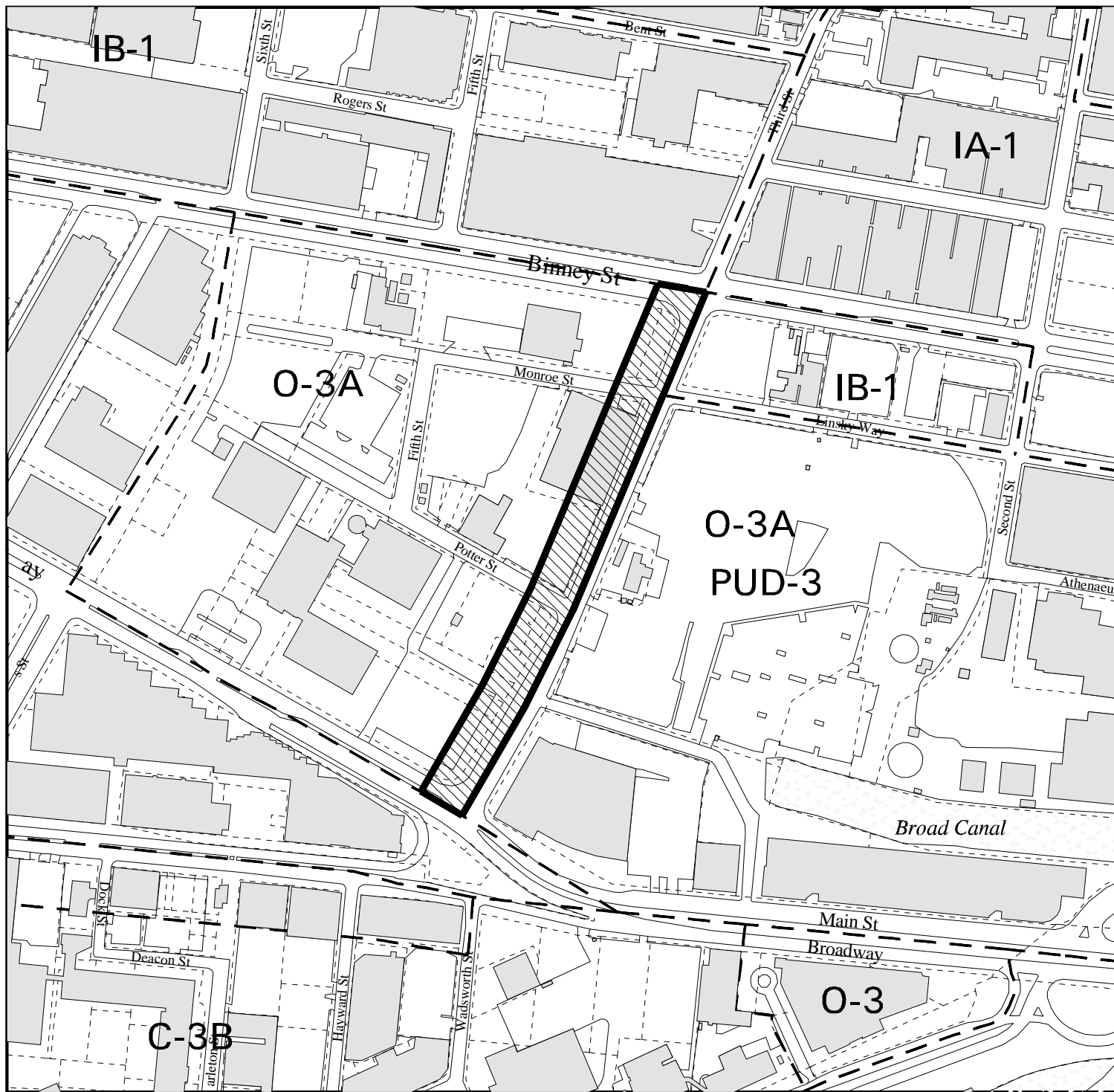
- (1) Hotels or motels

13.12.2 *Transportation, Communication, Utility and Institutional Uses.* All uses listed in sections 4.32 and 4.33 and which are allowed or conditionally allowed in the base zoning district. Telephone exchange use set forth in 4.32 g (1) shall be permitted provided that any facility having a floor area greater than four hundred (400) square feet shall only be permitted in a building in existence as of June 1, 2001 that, if vacant, has not been occupied by a residential use in the five years immediately preceding the time of application for a Certificate Of Occupancy for the proposed use, or if occupied, the current use is any office and laboratory use, Section 4.34; any retail business and consumer service establishment, Section 4.35; any light industry, wholesale business or storage use, Section 4.37; or any heavy industry use, Section 4.38.

13.12.3 *Office and Laboratory Uses.* All uses listed in Section 4.34.

13.12.4 *Retail Business and Consumer Service Establishments.* The following retail uses shall be permitted, provided that the total amount of retail GFA in the District does not exceed 70,000 square feet and no individual establishment exceeds ten thousand (10,000) square feet of Gross Floor Area unless the Planning Board determines in writing that more retail GFA and establishments of a greater size better serve the residents within the PUD district and in adjacent districts and better advance the policies set forth in the *Eastern Cambridge Plan* and the *Eastern Cambridge Design Guidelines*.

- (1) Stationery and office supply store.
- (2) Printing and reproduction service establishment, photography studio.
- (3) Other store for retail sale of merchandise located in a structure primarily containing non-retail use provided no manufacturing, assembly or packaging occur on the premises.
- (4) Barber shop, beauty shop, laundry and dry-cleaning pick-up agency, shoe repair, self-service laundry or other similar establishments.
- (5) Restaurants or other eating and drinking establishments listed in Subsection 4.35 e, f, and g.



Area II (A-1)

Office 3A/PUD-3A
To Business A/PUD-KS

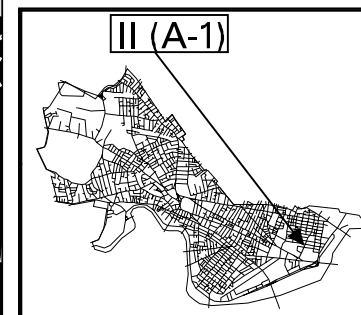
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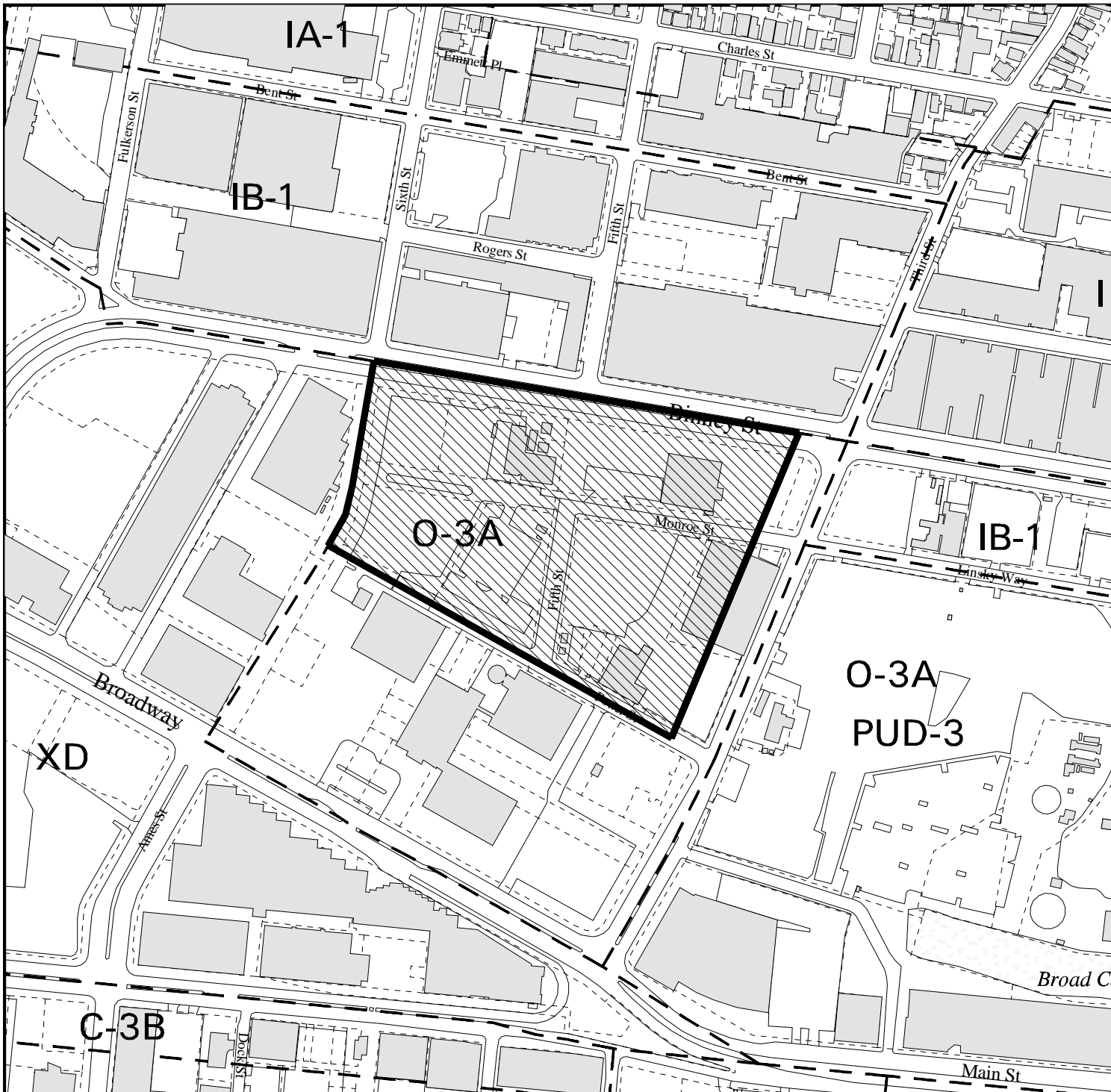
- Open Water
- Rezoning Area
- Building Footprint
- Zoning Districts
- Parcel Line



Scale

1 Inch = 300 Feet










Area II (A-2)

Office 3A/PUD-3A
To Residence C-2B/PUD-KS

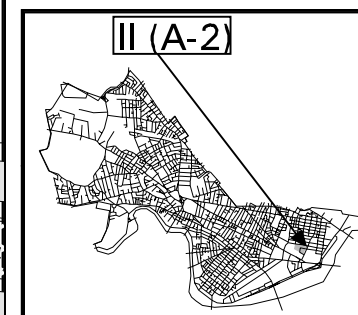
Legend

-  Open Water
-  Rezoning Area
-  Building Footprint
-  Zoning Districts
-  Parcel Line



Scale

1 Inch = 300 Feet








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Area II (A-3)

Office 3A/PUD-3A
To Office 2/PUD-KS

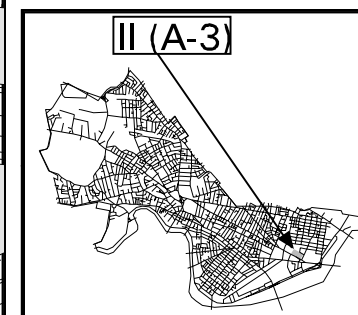
Legend

-  Open Water
-  Rezoning Area
-  Building Footprint
-  Zoning Districts
-  Parcel Line

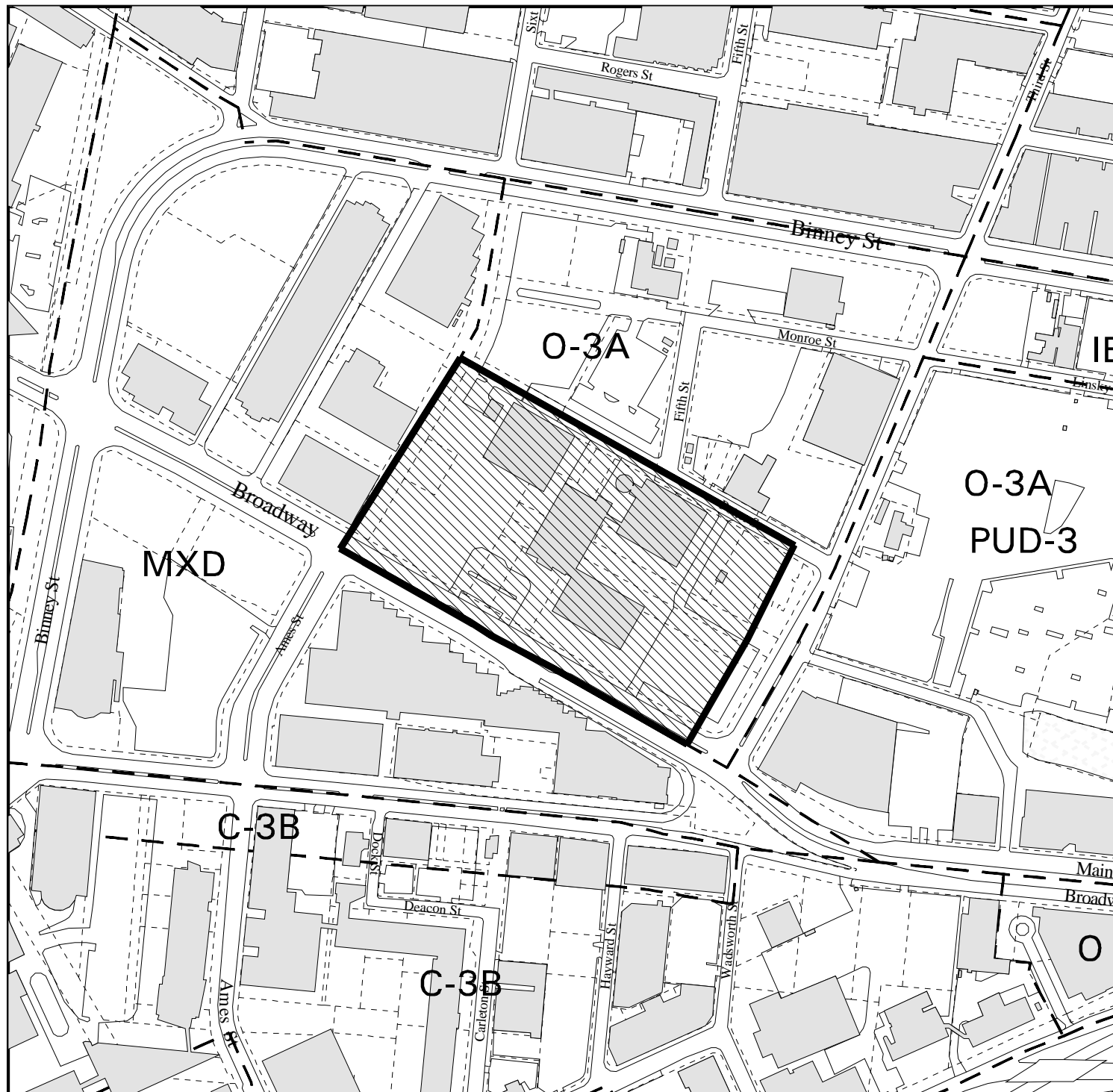


Scale

1 Inch = 300 Feet



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(6) Theater or hall for public gatherings.

13.12.5 *Other Uses.* Any use not listed in subsections 13.12.1 through 13.12.4, otherwise allowed in a Business B District may be allowed by the Planning Board only upon written determination by the Board that such use is consistent with the objectives of the PUD-KS district and the policies and guidelines set forth in the ECaPS Plan.

13.13 *District Dimensional Regulations.*

13.13.1 *Permitted FAR.* In the PUD-KS District the maximum ratio of floor area to Development Parcel shall be 3.0, subject to the further use limitations set forth below in Section 13.13.11.

13.13.11 *Limitations on Non-Residential Development.* In the PUD-KS District all non-residential uses shall be further limited as set forth below. Where the amount of non-residential Gross Floor Area (GFA) is limited to a percentage of the total GFA authorized, the calculation shall be based on GFA authorized exclusive of any GFA that may be constructed as a result of the application of the FAR bonuses permitted in Section 11.200.

(1) For any lot or combination of lots held in common ownership as of June 1, 2001 having in total an area of less than five acres, the total GFA devoted to non-residential uses shall not exceed ten (10) percent of the total GFA authorized for that portion of any PUD containing such lot or lots, or any portion thereof, as part of the PUD Development Parcel. Further non-residential GFA shall be permitted as set forth in Paragraph (3) below.

(2) For any lot or combination of lots held in common ownership as of June 1, 2001 having in total an area of more than five (5) acres, the total GFA devoted to non-residential uses shall not exceed sixty (60) percent of total GFA authorized, inclusive of any GFA otherwise exempt from the provisions of the Cambridge Zoning Ordinance, for that portion of any PUD containing such lot or lots, or any portion thereof, as part of any PUD Development Parcel. This limitation shall not apply to any individual lot created subsequent to the Planning Board approval of the PUD development.

At least ninety-five (95) percent of the authorized non-residential GFA must be located on the portion of the Development Parcel having an Office 2 base district designation.

(3) For the entire PUD-KS district, the first 50,000 square feet of retail and customer service uses authorized in total in all approved PUDs shall not be counted toward the non-residential GFA limitations of Paragraphs (1) and (2) above provided the GFA is located on the ground floor of a multistory building, fronts on and has a public

entrance onto Third Street **Broadway**, or a public park, and for each individual establishment the GFA does not exceed 10,000 square feet.

13.13.2 Minimum Development Parcel Size. The minimum size of a Development Parcel within the PUD-KS shall be the greater of (1) 40,000 square feet or (2) seventy-five percent of the area of a lot or combination of lots (a) in existence as of June 1, 2001 and (b) held in common ownership where it is proposed to incorporate any portion of such lot or lots within the Development Parcel. A Development Parcel within the PUD-KS may contain noncontiguous lots elsewhere in the PUD-KS district or within a contiguous PUD district. There shall be no specified minimum lot size for lots located within a Development Parcel.

13.13.3 Residential Density. For the purpose of computing residential density, the minimum lot size for each dwelling unit shall be three hundred (300) square feet. Residential density shall be computed based on the entire development parcel.

13.13.4 Maximum Building Height.

13.13.41 The maximum height permitted in the district shall be sixty-five (65) feet except as it may be further limited or permitted below. The permitted heights are further illustrated on the Building Height Regulation Map for the PUD-KS, Map 13.11.

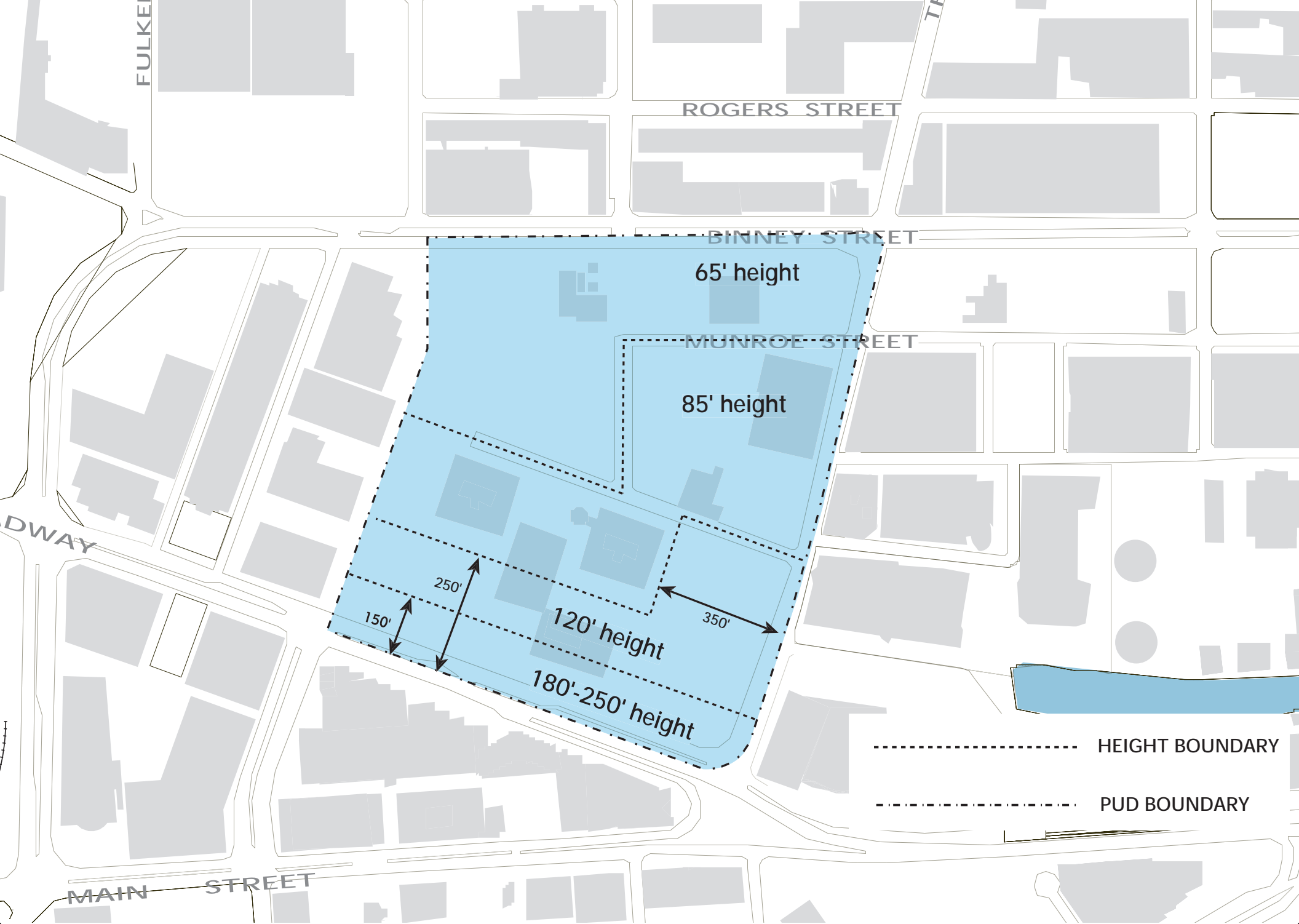
(1) **Additional Building Height to Eighty-Five Feet.** The maximum height shall be eighty-five (85) feet in that areas described below:

(a) An area bounded by the centerlines of Fifth Street, Monroe Street, Third Street and Potter Street.

(b) An area bounded by the centerline of Potter Street and its northwesterly extension; then the centerline of the former Sixth Street (the MXD district boundary line); then a line northeasterly of, parallel to and two hundred (200) feet distant from the northeasterly sideline of Broadway; then a line northwesterly of, parallel to, and three hundred (300) feet distant from the northwesterly sideline of Third Street, to the point of beginning.

(2) **Additional Building Height to One Hundred and Twenty Feet.** The maximum height shall be one hundred and twenty (120) feet in that area bounded by areas described in Paragraph (1) above; then the centerline of Third Street; then a line northeasterly of, parallel to, and one hundred (100) distant from the northeasterly sideline of Broadway; then the centerline of the former Sixth Street (the MXD district boundary line) to the point of beginning.

(3) **Additional Building Height to One Hundred and Eighty Feet with Portions to Two Hundred and Fifty Feet.** The maximum height shall be one hundred and eighty (180) feet in that area bounded by the area described in Paragraph (2) above; then the centerline of Third Street; then the centerline of Broadway; and then the centerline of



the former Sixth Street (the MXD district boundary line) to the point of beginning. However, portions of buildings may rise above one hundred and eighty (180) feet to no more than two hundred and fifty (250) feet provided the area of all floorplates of portions of buildings above 180 feet do not exceed ten percent of the total area of the Development Parcel.

(4) ***Portions of Buildings limited to Forty-five Feet.*** Notwithstanding the provisions of Paragraphs (1) – (3) above, any portion of a building that is within fifty (50) feet of an existing or proposed Public Open Space or single intervening street abutting that open space may exceed 45 feet only if for each floor above 45 feet, that floor is set back an additional 10 feet from the façade of the floor below, until the maximum height is attained, or until a 20 foot setback from the façade at 45 feet is attained. Alternately, a set back of 20 feet from the façade of the building at a height of 45 feet shall be permitted, and the remaining portions of the building allowed to achieve the maximum height permitted in Paragraphs (1) – (3) above or any variation between the two provisions.

13.13.42 The Planning Board shall not approve any Final Development Plan in the PUD-KS District not in conformance with the regulations of Section 13.13.4 above. In the portion of the PUD-KS that allows buildings to 200 feet or more, the Planning Board may approve a building up to 250 feet if other buildings or portions of buildings in that portion of the Development Parcel are no higher than one hundred and fifty (150) feet.

13.13.43 In evaluating a development proposal providing building height in excess one hundred and twenty (120) feet, the Planning Board shall give consideration to evidence presented on the following:

- (a) that increased height will not cast shadows or alter air currents in ways that will unreasonably limit the amount of light and air reaching other buildings in the vicinity to a significantly greater extent than if the building height did not exceed one hundred and twenty (120) feet;
- (b) that increased height would mitigate detrimental environmental impacts such as excessive ground coverage, diminution of open space, and monotonous development;
- (c) that increased height would not adversely affect and would result in increased sensitivity to the visual and physical characteristic of the particular location through more harmonious relationships to the terrain and to the proposed and existing buildings in the vicinity that have functional or visual relationships to the proposed building;
- (d) that increased height would result from actions taken to lessen the impact of traffic and parking on the surrounding area; and

- (e) that the orientation and location of the proposed structure would not otherwise diminish the health and safety of the area around the development parcel.
- (f) The additional height permits accommodation of GFA transferred from the Eastern Cambridge Development Rights Transfer Donating District.

13.13.5 *Other Dimensional Requirements.* There shall be no minimum width for the development parcel and no minimum width for lots located within the development parcel. There shall be no minimum required front, rear and side yard requirements for a development parcel or for lots located within a development parcel. The Planning Board shall approve all such lot sizes and building setbacks.

13.14 *Open Space.* The following Open Space requirements shall be met on each Development Parcel.

(1) For that portion of a Development Parcel consisting of lots described in Section 13.13.11, Paragraph (1) above, any combination of Public Open Space, Green Area Open Space or Permeable Open Space, as defined in this Ordinance, shall be provided on the Development Parcel and shall in the aggregate equal at least twenty (20) percent of the area of that portion of the Development Parcel.

(2) For that portion of a Development Parcel consisting of lots described in Section 13.13.11, Paragraph (2) above, any combination of Public Open Space, Green Area Open Space or Permeable Open Space, as defined in this Ordinance, shall be provided on the Development Parcel and shall in the aggregate equal at least Forty-two (42) percent of the area of that portion of the Development Parcel, subject to the further limitations set forth in Section 13.14.1 below.

Owners of adjacent Development Parcels may collectively provide the required open space by easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity. In that event each Development Parcel shall, for purposes of this Section 13.10 be deemed to include that portion of such open space as the owners shall allocate to it in chosen legal instrument.

All required open space shall be generally accessible to the public for reasonable periods throughout the day for the purposes for which the open space is designed and approved by the Planning Board, which may include but not be limited to walking, bicycling, active and passive recreation. The Planning Board must approve any proposal to significantly limit public access to the required open space.

13.14.1 *Required Public Open Space.* For that open space required in Section 13.14, Paragraph (2) above, the required open space shall consist in part of a contiguous 7.5

acre Public Open Space to be located in the northwest quadrant of the PUD-KS district as further described and located in the *Eastern Cambridge Plan*. The Public Open Space shall be under the control of the City of Cambridge through fee simple conveyance, easement, or other legal mechanism acceptable to the City. In the event that the City of Cambridge does not accept the facility, the PUD permittee shall maintain the park for the use of the general public as originally designed and approved by the Planning Board in the Special Permit. The Public Open Space shall be designed and constructed by the permittee according to the conditions of the PUD special Permit and when conveyed to the City shall be environmentally and otherwise suitable for the recreational uses for which it is designed.

However, where circumstances related to the transfer of property from the federal government to other governmental or private entities (for the purpose of private development on a portion or all of the land in the control of the federal government) limit the feasibility of creation of a 7.5 acre park, the Planning Board may at its discretion approve a Final Development Plan providing a contiguous Public Open Space of less than 7.5 acres. In approving such a Final Development Plan the Planning Board shall find that a smaller facility continues to meet the objectives of the *Eastern Cambridge Plan* and the *Eastern Cambridge Design Guidelines*,

13.14.2 The Planning Board shall encourage development that is located adjacent to a Public Open Space to be physically and functionally integrated with the open space by means of building orientation, location of building entrances, pedestrian linkages between major activity centers, and similar techniques.

13.15 ***Perimeter and transition.*** Any part of the perimeter of a PUD-KS which fronts on an existing street or public open space should be so designed as to complement and harmonize with adjacent land uses with respect to scale, density, setback, bulk, height, landscaping, and screening. Developments in the PUD-KS district should provide integrated pedestrian circulation systems, with particularly strong linkages among the riverfront, Kendall Square, and the Eastern Cambridge neighborhoods.

13.17 Parking and Loading Requirements. Development the PUD-KS District shall conform to the off street Parking and Loading Requirements set forth in Article 6.000, except as modified by this Section 13.17.

13.17.1 Off street parking facilities shall be provided as follows:

(1) Residence: 1 space per unit minimum, 1.5 spaces per unit maximum.

(2) Public Assembly: Number of seats requiring one space: 15.

(3) Institutional: 1 space per 1,800 Square feet.

(4) Retail (except as noted in Section 13.17.2 below) and Office:

Ground floor: 1,125 square feet

Other level: 1,800 square feet

13.17.2 *Ground Floor Retail and Customer Service Uses.* Retail and customer service uses fronting on and having a public entrance onto a public street or a public open space, located at the first floor level of a multistory building, and not exceeding 10,000 square feet for each separately leased establishment shall not be required to provide any accessory parking. Where parking is provided it shall be subject to Section 13.17.1 above.

13.18 *Traffic Mitigation Measures.* In reviewing a development proposal under the provisions of this Section 13.70 and Section 19.20, the Planning Board shall determine that the proponent has demonstrated, at the time of Final Development Plan approval, a commitment to a Transportation Demand Management Program consistent with the reduce parking mandated in this PUD. The measures to be taken in this program must address:

- (1) The amount of parking provided,
- (2) The scale of development and the mix of uses proposed, and
- (3) The assumptions employed with regard to the proportion of automobile use for those traveling to the site.

For examples of such Measures, the Planning Board shall refer to the *Eastern Cambridge Plan*, Article 18.000, and the requirements of Section 19.20 in establishing Transportation Demand Management measures applicable to any approved PUD.

13.19 *Relationship to MBTA Urban Ring Transportation Planning Project.* In all PUD application documents, the applicant shall indicate how the proposed PUD development relates physically to the most current plans developed by the MBTA for implementation of the Urban Ring transportation project.